

United States District Court
EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 14 2007

JAMES R. LARSEN, CLERK
SPOKANE, WASHINGTON DEPUTY

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

JOSEPH CURRY

CASE NUMBER: MJ-07-251

(Name & Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

I further state that I am a Special Agent and that this complaint is based on the following facts:

COUNT ONE

That on or about August 10, 2007, in the Eastern District of Washington, JOSEPH CURRY did knowingly and intentionally possess with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(viii).

COUNT TWO

That on or about August 10, 2007, in the Eastern District of Washington, JOSEPH CURRY did knowingly and intentionally import into the United States, from a place outside the United States, specifically Canada, 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. §§ 952 and 960.

Continued on the attached sheet incorporated herein by this reference. ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence

August 14, 2007

Date

Cynthia Imbrogno

United States Magistrate Judge

Name and Title of Judicial Officer

Signature of Complainant Tim Rencuard
Special Agent, ICE

at Spokane, Washington

City and State

Signature of Judicial Officer

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In re the Complaint for Joseph Curry

AFFIDAVIT

STATE OF WASHINGTON)
 :ss
County of Spokane)

I, Tim Renourard, being first duly sworn on oath, deposes and states:

I am a Senior Special Agent with United States Immigration and Customs Enforcement (ICE) and have been so employed since March 2003. Previous to that I have been a Special Agent/Criminal Investigator/Supervisory Resident Agent for the United States Customs Service since 1987. I am currently assigned as a Senior Special Agent with ICE Office of Investigations in Spokane, Washington. I am responsible for conducting investigations into the numerous laws enforced by ICE which includes, but is not limited to, immigration violations and laws related to the smuggling and distribution of illegal narcotics as defined in titles 18 and 21 of the United States Code. I have been cross-designated by the Drug Enforcement Administration with Title 21 investigative authority since 1995.

Since joining the Customs Service (later ICE) I have conducted or supervised more than 100 narcotics smuggling investigations.

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I have been provided the following information through ICE Special Agent Nicholas Saroff. I know that SA Saroff has been employed as an ICE Special Agent since January of 2003. He has completed both the United States Department of Treasury Criminal Investigator Training Program and the United States Customs Basic Enforcement School at the Federal Law Enforcement Training Center. While attending the Federal Law Enforcement Training Center, SA Saroff received intensive training in the customs laws, investigative techniques, drafting and executing search warrants and arrest warrants, as well as general narcotics smuggling investigations. Prior to joining ICE, SA Saroff was employed for over three years as a Border Patrol Agent with the U.S. Border Patrol. SA Saroff attended a 20-week course at the U.S. Border Patrol Academy, located in Charleston, South Carolina. While attending the Academy, SA Saroff received intensive training in interdiction of aliens and smugglers of aliens and controlled substances.

During his tenure as a Special Agent, SA Saroff has been involved in investigating numerous federal cases involving controlled substance laws. SA Saroff has been assigned duties which have included and involved investigating the possession, distribution and importation of controlled substances listed within

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the Controlled Substance Act, assisting in search and arrest warrants involving drug offenses, and gathering drug and non-drug evidence.

BACKGROUND

On August 10, 2007, Immigration and Customs Enforcement (ICE) Special Agent (SA) Nick Saroff was notified by SA Munn that the Okanogan County Sheriff's Office was responding to a report of an airplane that had landed in an open field near Conconully, Washington at approximately 1139 hours. According to Detective Brown of the North Central Washington Narcotics Task Force (NCWNTF) the plane was a red and white Cessna bearing registration tail numbers CFKHR. Detective Brown stated that when he arrived on scene, Deputy Harrison stated that the owner of the field stated that the plane may have made an emergency landing. The owner of the field also stated that he could see a male subject walking from the airplane to an area over a hill and out of his view. The owner also stated that he could see a larger jet type aircraft circling overhead. This aircraft was later identified as a Customs and Border Protection aircraft patrolling the border in eastern Washington.

Deputy Harrison stated that he was unable to locate any persons near the aircraft at the time of his arrival. Border Patrol Agent (BPA) Clark and Deputy

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Arnold followed footprints away from the aircraft towards a paved road. BPA Hefker arrived on scene and followed footsign from the aircraft in another direction over a hill southwest of the aircraft. BPA Hefker followed the footsign to a brushy area and located two blue duffle bags and one black duffle bag next to a log and stated that brush and debris had been stacked on top of the three (3) duffle bags.

The owner of the property stated that the subject he had seen leaving the aircraft was last seen wearing a blue denim shirt, approximately 5'10", medium build with dark hair. A search of the area was unable to locate any individuals matching that description.

A for sale sign was located inside the aircraft with the phone number 497-6316 written on it. A call was placed to that number, with the prefix 250 (British Columbia, Canada) and it was determined that the previous owner of that aircraft had sold the plane to a Joe CURRY. CURRY is a known suspect in multiple narcotics trafficking case in the Eastern District of Washington.

CURRY has been previously suspected of importing marijuana into the United States from Canada. Specifically, on or about May 9, 2006, CURRY's vehicle was identified by a law enforcement surveillance plane. CURRY's vehicle

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was meeting with a helicopter in a remote location of British Columbia, Canada. Over 100 kilograms of marijuana were transferred from CURRY's vehicle to the helicopter. The surveillance video taken from the aircraft depicts a male exiting CURRY's vehicle and assisting in loading the helicopter with multiple hockey bags. This helicopter then flew to a remote location within the Eastern District of Washington. This shipment was intercepted by law enforcement agents soon after it had been transferred to an awaiting truck. Although CURRY's vehicle was positively identified as coming from the meet-location in Canada by a police officer on the ground, the officer could not identify the driver of the vehicle. After searching the plane that landed in the open field on August 10, 2007, several duffle bags were located.

According to Detective Brown, Deputy Arnold utilized a narcotics field test kit on the white powdery substance found inside one of the duffle bags and the field test provided a positive response for methamphetamines and/or ecstasy (MDMA). Deputy Harrison took latent fingerprints from the aircraft and logged all items from the scene which were turned over to Detective Brown for processing.

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Detective Brown later weighed the controlled substance found in the duffle bags and determined that the white powdery substance, along with fifty (50) blue tablets embossed with the letters "BOSS" weighed approximately seventy-two (72) pounds. All of the suspected narcotics were weighed in the original vacuum-sealed packaging.

On August 13, 2007, Detective Brown spoke to Mr. John Conroy who stated that he was an attorney for Joseph CURRY. Mr. Conroy stated that CURRY wanted to retrieve his airplane that he had left in a field in Okanogan County. CURRY had relayed to his attorney that he had had engine trouble and encountered foul weather forcing him to land in the United States as his original destination from Princeton, BC was Penticton, BC. The aircraft was located approximately 35 miles south of the US/Canada International Boundary. CURRY also stated to his attorney that he had hitch-hiked back to Canada, where he had originally flown from.

On August 13, 2007, SA Saroff was notified by SA Miller that Joseph CURRY was attempting to enter the United States through the Sumas, WA Port of Entry at approximately 4:30 p.m.

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SA Miller responded to the Sumas, WA Port of Entry and arrested CURRY. CURRY stated that he had been the pilot of the aircraft and denied any knowledge of any narcotics found in or near the aircraft.

CONCLUSION

Based on the aforementioned facts, your Affiant believes that there is sufficient probable cause to establish that Joseph CURRY has violated 21 U.S.C. § 841(a)(1), and 21 U.S.C. §§ 952 and 960.



Tim Renourard,
Immigration & Customs Enforcement

SUBSCRIBED AND SWORN to before me this 14th day of August, 2007.



Cynthia Imbrogno
United States Magistrate Judge